



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

Ohio EPA Permit #
Entered Director's Journal

October 5, 2018

Re: Emerald BioEnergy
Director's Authorization
Approval
NPDES
Morrow County
4IN00204

Mr. Taylor Faecher
Ringle Energy, LLC
461 State Route 61
Marengo, OH 43334

I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.

Subject: Class B Biosolids Beneficial Use Site Transfers

By:  Date: 10-5-18

Dear Mr. Faecher:

Ohio EPA received a request from Renergy, Inc. on behalf of Emerald BioEnergy to transfer the following biosolids beneficial use sites from the Ashley WWTP Class B biosolids program to the Emerald BioEnergy Class B biosolids management program:

Ohio EPA Site #	Field ID	County	Township
21-00001	DES-01-03	Delaware	Oxford
21-00002	DES-01-04	Delaware	Oxford

Ohio EPA Site 21-00001 (Field ID DES-01-03)

This 62-acre beneficial use site, owned by Kevin Miley and Ralph Miley and operated by Todd Etgen, is located northwest of the intersection of Steamtown Road and Piper Road. The beneficial use site's soil units consist of Blount silt loam, Gallman silt loam, and Pewamo silty clay loam. Soil analytical results indicate an average pH value of 5.4 S.U. and phosphorus values ranging from 16 to 28 ppm Mehlich 3 extraction.

Ohio EPA Site 21-00002 (Field ID DES-01-04)

This 154-acre beneficial use site, owned by Ralph Miley and operated by Todd Etgen, is located northwest of the intersection of Steamtown Road and Piper Road. The beneficial use site's soil units consist of Blount silt loam, Gallman silt loam, Glynwood silt loam, and Pewamo silty clay loam. Soil analytical results indicate an average pH value of 7.0 S.U. and phosphorus values ranging from 19 to 89 ppm Mehlich 3 extraction.

A review of the application and sites was conducted by Ohio EPA. The application indicates that the requisite notifications and consents have been obtained. The review considered soil and landscape characteristics, isolation distances from residences, and the proximity to waterways and wells.

After a review of the application and Ohio Administrative Code (OAC) 3745-40-06, Ohio EPA hereby authorizes these beneficial use sites to be transferred to the Emerald Class B biosolids management program. This authorization is subject to conditions contained in the Emerald NPDES permit and OAC 3745-40. Highlights of these conditions are outlined below. Conditions contained in the NPDES permit and OAC 3745-40 may differ. In such cases, the more restrictive conditions from either the NPDES permit or OAC 3745-40 shall govern.

Specific Conditions

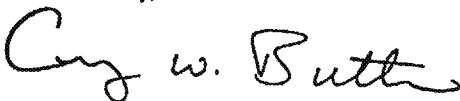
1. All biosolids beneficially used at these sites shall be injected beneath the surface of the ground or immediately incorporated into the soil. Biosolids that remain on the surface shall be incorporated within six hours.
2. Prior to beneficial use, the agronomic rate shall be determined in accordance with OAC 3745-40-08(A)(2) and include all sources of nitrogen and phosphate, such as commercial fertilizer or manure.
3. OAC 3745-40-08(A)(2)(b) requires that for soils with phosphorus test results greater than 40 ppm Bray-Kurtz P1 and less than or equal to 100 ppm Bray-Kurtz P1, the agronomic rate shall be the most limiting factor derived from the nitrogen agronomic rate or the multi-year phosphate agronomic rate.
4. The review indicated the presence of soils at these sites that are classified as hydrologic soil group D. Please refer to the precipitation prohibitions and restrictions for group D soils found in OAC 3745-40-08(B)(2).
5. OAC 3745-40-08(D)(5) requires a minimum pH of 5.5 for the beneficial use of Class B biosolids. The pH shall be raised to a minimum of 5.5 through the addition of a liming material before or at the time of the beneficial use of biosolids.
6. Biosolids shall not be applied within the isolation distances listed in OAC 3745-40-08(C).
7. Biosolids application records shall be maintained in accordance with OAC 3745-40-09(C).
8. **Ashely WWTP is no longer authorized to beneficially use biosolids at these sites.**

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, OH 43215

If you have questions, please refer to Ohio EPA's Sewage Sludge Rules in OAC 3745-40 (<http://www.epa.ohio.gov/dsw/sludge/biosolid.aspx>), or contact Betsy VanWormer at (614) 644-2150 or via email at betsy.vanwormer@epa.ohio.gov.

Sincerely,



Craig W. Butler
Director

Enclosures

October 5, 2018

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Cc: Delaware County General Health District
Delaware County Soil and Water Conservation District
Oxford Township Trustees
Kevin Miley
Todd Etgen

Ec: Taylor Faecher, Renergy
Ralph Miley
TJ Howard, Village of Ashley
Betsy VanWormer, Ohio EPA- DSW/CO
Isaac A. Robinson, III, Chief, Ohio EPA/CDO



Class B Biosolids Site Transfers

Emerald BioEnergy
NPDES #4IN00204

Ohio EPA Site	Field ID
21-00001	DES-01-03
21-00002	DES-01-04



Division of Surface Water
50 W Town Street, Suite 700
Columbus, OH 43216
(614) 644-2150